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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

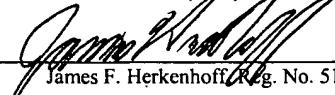
Applicant : Steven F. Bierman
Appl. No. : 09/767,207
Filed : January 22, 2001
For : MEDICAL DEVICE
CONNECTOR FITTING
Examiner : Kathryn L. Thompson
Group Art Unit : 3763

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

May 7, 2004

(Date)


James F. Herkenhoff Reg. No. 51,241

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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MAY 17 2004

TECHNOLOGY CENTER R3700

Dear Sir:

As set forth in the office communication dated March 24, 2004, the Examiner requires Applicants to elect a single disclosed invention.

In response, Applicants elect, without traverse, to proceed with examination being directed toward the fourth invention (Invention IV), which is claimed in Claims 27-50 of the application as amended by the accompanying Preliminary Amendment. Invention IV is drawn to a connector fitting.

Applicants further elect to proceed with examination directed towards the first stated species of Invention IV, which is illustrated in at least FIGURE 1 and is included in the subject matter recited by amended Claims 28-46 and 48-49. Applicants note that at least FIGURES 1-6 depict the same preferred embodiment of the elected connector fitting. Accordingly, Applicants believe that FIGURES 1-6 should not be further subject to a species restriction.

The species election is being made with traverse. All of the claims are directed to a connector body, spin nut, and a radially extending member. Thus, a proper search for art related to the elected species would necessarily include the classes and sub-classes relevant to a search for the non-elected species. Thus, examination of all the claims would not present a substantial